

Hearing Date: July 13, 2022
Objections Date: May 18, 2022
Reply Date: June 17, 2022

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

FULLERTON CAPITAL PTE. LTD.,

Defendant.

Adv. Pro. No. 12-01004 (BRL)

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE that, upon Fullerton Capital PTE, Ltd.'s Memorandum of Law in Support of Motion to Dismiss the Complaint dated March 18, 2022, the accompanying Declaration of Daniel R. Bernstein dated March 18, 2022 and the exhibits thereto, and all prior pleadings and proceedings herein, defendant Fullerton Capital PTE, Ltd. ("Fullerton") will move this Court, pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, on July 13, 2022,

at 10:00 a.m. prevailing Eastern Time, before the Honorable Cecelia G. Morris, Chief Judge, for an order dismissing in its entirety the Complaint filed in this action by Plaintiff Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC (ECF No. 1).

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered on December 13, 2021 (ECF No. 102), all papers responsive to Fullerton's Motion to Dismiss the Complaint shall be served and filed no later than May 18, 2022, and all reply papers in further support of the Defendant's Motion to Dismiss the Complaint shall be served and filed no later than June 17, 2022.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Fullerton does not consent to the entry of final orders or judgment by this Court.

Dated: New York, New York
March 18, 2022

ARNOLD & PORTER KAYE SCHOLER LLP

By: /s/ Kent A. Yalowitz

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